



General Assembly

Substitute Bill No. 6653

January Session, 2015



**AN ACT CONCERNING MUNICIPAL NOTICE PROVISIONS, BLIGHT
LIENS AND VOTING REQUIREMENTS FOR ESTABLISHING A
DISTRICT TO MAINTAIN WATER QUALITY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2015*) Whenever a municipality
2 issues a written warning or citation for violation of a municipal
3 ordinance concerning real property, such municipality shall, if the
4 property is encumbered by a mortgage that secures a loan, make
5 reasonable efforts to send notice of such warning or citation, by
6 certified mail, return receipt requested, to the mortgage lender for such
7 property. Such notice shall describe the violation and specify the date
8 on which such violation occurred.

9 Sec. 2. Section 7-148aa of the general statutes is repealed and the
10 following is substituted in lieu thereof (*Effective October 1, 2015*):

11 (a) Any unpaid penalty imposed by a municipality pursuant to the
12 provisions of an ordinance regulating blight, adopted pursuant to
13 subparagraph (H)(xv) of subdivision (7) of subsection (c) of section 7-
14 148, shall constitute a lien upon the real estate against which the
15 penalty was imposed from the date of such penalty.

16 (b) Any unpaid penalty described in subsection (a) of this section
17 may be secured by a lien placed upon any real estate in the state

18 owned by the same person or entity that owns the real estate on which
19 a lien is placed pursuant to subsection (a) of this section.

20 (c) Each such lien may be continued, recorded and released in the
21 manner provided by the general statutes for continuing, recording and
22 releasing property tax liens. Each such lien shall take precedence over
23 all other liens filed after July 1, 1997, and encumbrances except taxes
24 and may be enforced in the same manner as property tax liens.

25 Sec. 3. Subsection (b) of section 7-148ii of the general statutes is
26 repealed and the following is substituted in lieu thereof (*Effective*
27 *October 1, 2015*):

28 (b) Registration made pursuant to subsection (a) of this section shall
29 contain (1) the name, address, telephone number and electronic mail
30 address of the plaintiff in the foreclosure action and, if such plaintiff is
31 an entity or an individual who resides out-of-state, the name, address,
32 telephone number and electronic mail address of a direct contact in the
33 state, provided such a direct contact is available; (2) the name, address,
34 telephone number and electronic mail address of the person, local
35 property maintenance company, local property manager or other
36 entity serving as such plaintiff's contact with the municipality for any
37 matters concerning the residential property; and (3) the following
38 heading in at least ten-point boldface capital letters: NOTICE TO
39 MUNICIPALITY: REGISTRATION OF PROPERTY BEING
40 FORECLOSED. The plaintiff in the foreclosure action shall indicate on
41 such registration whether it prefers to be contacted by first class mail
42 or electronic mail and the preferred addresses for such
43 communications. Such plaintiff shall report to the town clerk of the
44 municipality in which the property is located, by mail or other form of
45 delivery, any change in the information provided on the registration
46 not later than thirty days following the date of the change of
47 information. At the time of registration, such plaintiff shall pay a land
48 record filing fee to the municipality as specified in section 7-34a.

49 Sec. 4. Section 7-325 of the general statutes is repealed and the

50 following is substituted in lieu thereof (*Effective October 1, 2015*):

51 (a) Upon the petition of fifteen or more voters [, as defined by
52 section 7-6,] of any town, specifying the limits of a proposed district for
53 any or all of the purposes set forth in section 7-326, the selectmen of
54 such town shall call a meeting of the voters residing within such
55 specified limits to act upon such petition, which meeting shall be held
56 at such place within such town and such hour as the selectmen
57 designate, within thirty days after such petition has been received by
58 such selectmen. Such limits shall contain only contiguous property,
59 except any proposed district which is proposed to be established only
60 to plan, lay out, acquire, construct, reconstruct, repair, maintain,
61 operate and regulate the use of a community water system or to
62 construct and maintain drains and sewers or both and which does not
63 exercise any of the other powers enumerated in section 7-326, may
64 contain noncontiguous properties if the properties proposed to be
65 included are, or are to be, served by a common water or sewer main.
66 Such meeting shall be called by publication of a written notice of the
67 same, signed by the selectmen, at least fourteen days before the time
68 fixed for such meeting in two successive issues of some newspaper
69 published or circulated in such town. Not later than twenty-four hours
70 before such meeting, (1) two hundred or more voters or ten per cent of
71 the total number of voters, whichever is less, may petition the
72 selectmen in writing for a referendum, or (2) the selectmen in their
73 discretion may order a referendum, on the sole question of whether
74 the proposed district should be established. Any such referendum
75 shall be held not less than seven nor more than fourteen days after the
76 receipt of such petition or the date of such order, on a day to be set by
77 the selectmen for a vote by paper ballots or by a "yes" or "no" vote on
78 the voting machines, during the hours between twelve o'clock noon
79 and eight o'clock p.m.; except that any town may, by vote of its
80 selectmen, provide for an earlier hour for opening the polls but not
81 earlier than six o'clock a.m., notwithstanding the provisions of any
82 special act to the contrary. If two-thirds of the voters, or, in the case of
83 a proposed district to maintain water quality in a lake, a majority of

84 voters, casting votes in such referendum vote in favor of establishing
85 the proposed district, the selectmen shall reconvene such meeting not
86 later than seven days after the day on which the referendum is held.
87 Upon approval of the petition for the proposed district by two-thirds
88 of the voters present at such meeting, or if a referendum is held, upon
89 the reconvening of such meeting after the referendum, the voters may
90 name the district and, upon the vote of a majority of such voters,
91 choose necessary officers therefor to hold office until the first annual
92 meeting thereof; and the district shall, upon the filing of the first report
93 required pursuant to subsection (c) of this section, thereupon be a body
94 corporate and politic and have the powers, not inconsistent with the
95 general statutes, in relation to the objects for which it was established,
96 that are necessary for the accomplishment of such objects, including
97 the power to lay and collect taxes. The clerk of such district shall cause
98 its name and a description of its territorial limits and of any additions
99 that may be made thereto to be recorded in the land records of each
100 town in which such district is located.

101 (b) Any district may enlarge or reduce its territorial limits if the
102 board of directors of the district approves a resolution proposing such
103 an enlargement or reduction and stating the proposed boundaries of
104 the area proposed to be included or excluded, as the case may be,
105 provided: (1) The board of directors of the district shall call a meeting
106 of voters of the area proposed to be included or excluded, which
107 meeting shall be held within thirty days of the board of directors'
108 approval of such resolution and shall be called by publication of a
109 written notice of the same, signed by the members of the board of
110 directors of the district, at least fourteen days before the time fixed for
111 such meeting in two successive issues of some newspaper published or
112 circulated in such town, provided not later than twenty-four hours
113 before any such meeting, two hundred or more such voters or ten per
114 cent of the total number of such voters, whichever is less, may petition
115 the clerk of the district, in writing, that a referendum on the question
116 of whether the area proposed to be included or excluded should join or
117 leave the district be held in the manner provided in section 7-327; (2) a

118 two-thirds majority of the voters of the area proposed to be included or
119 excluded in attendance at such meeting, or, if a referendum is held,
120 two-thirds of such voters casting votes in such referendum, vote in
121 favor of joining or leaving such district; (3) that any area to be added is
122 contiguous with some portion of the existing district; [,] and (4) if the
123 enlargement of the territorial limits of the district will overlap the
124 territorial limits of another district within the town, the legislative
125 body of the town approves such enlargement. If any district enlarges
126 or reduces its territorial limits, the clerk of such district shall notify the
127 town clerk of each town affected by such enlargement or reduction
128 within thirty days after the vote.

129 (c) The clerk of each district created pursuant to this chapter or any
130 provisions of the general statutes or any special act, shall report to the
131 town clerk of each town in which such district is located: (1) If created
132 by approval of a petition pursuant to subsection (a) of this section on
133 or after July 1, 1987, within seven days of such approval; and (2) on or
134 before July 31, 1993, and annually thereafter for each such district,
135 irrespective of the date of creation. The first report filed after the
136 creation of a district shall include a list of the officers of such district, a
137 copy of the charter or special act of such district and such other
138 information on the organization and the financial status of such district
139 as the Secretary of the Office of Policy and Management may
140 recommend. A copy of the charter or special act of such district shall
141 be included in any subsequent report if such charter or special act was
142 amended after the date of the previous filing. No district, irrespective
143 of the date of creation, created by approval of a petition pursuant to
144 subsection (a) of this section shall exist as a body corporate and politic
145 until the clerk of such district has filed at least one report required by
146 this subsection. If a district is located in more than one town, the report
147 shall be filed by the district clerk with the town clerk of each town in
148 which the district is located.

149 (d) Any fine imposed on and after July 1, 1992, on a clerk for failure
150 to file a report required pursuant to subsection (c) of this section shall

151 be waived.

152 (e) For the purposes of this section, "voter" means a person
153 authorized to vote pursuant to section 7-6, except that, in the case of a
154 proposed district to maintain water quality in a lake, a person is not
155 required to be an elector of the town in which such district is proposed.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2015	New section
Sec. 2	October 1, 2015	7-148aa
Sec. 3	October 1, 2015	7-148ii(b)
Sec. 4	October 1, 2015	7-325

Statement of Legislative Commissioners:

The title was changed.

PD Joint Favorable Subst.